

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Applicant's or agent's file reference
see form PCT/ISA/220

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/JP2004/007859

International filing date (day/month/year)
31.05.2004

Priority date (day/month/year)
02.06.2003

International Patent Classification (IPC) or both national classification and IPC
H04L12/56, H04L12/28

Applicant
MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2004/007859

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2004/007859

Box No. II Priority

1. The following document has not been furnished:

copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	12
	No: Claims	1-11,13-16
Inventive step (IS)	Yes: Claims	
	No: Claims	1-16
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VI Certain documents cited

1. Certain published documents (Rules 43bis.1 and 70.10)

and / or

2. Non-written disclosures (Rules 43bis.1 and 70.9)

see form 210

1. The following documents (D) are referred to in this communication; the numbering will be adhered to in the rest of the procedure:
 - D1: WO 01/03379 A (BOLINTH EDGAR ; KERN RALF (DE); SCHWARK UWE (DE); SIEMENS AG (DE)) 11 January 2001 (2001-01-11)
 - D2: PATENT ABSTRACTS OF JAPAN vol. 2000, no. 21, 3 August 2001 (2001-08-03) & JP 2001 103570 A (TOSHIBA CORP), 13 April 2001 (2001-04-13)
 - D3: ZHANG W ET AL: "On Improving the Performance of Bluetooth Networks THROUGH DYNAMIC ROLE MANAGEMENT" May 2001 (2001-05), , XP002198269
2. The present application does not meet the requirements of Articles 33(1)-(2) PCT, because the subject-matter of **independent claims 1 and 14-16 is not new.**
 - 2.1 Referring to the wording of claim 1 document D1 discloses a device having a master function (figure 1: 0,1,2,3; page 1, lines 8-9) for use in a network system in which a master device manages at least one slave device (page 1, lines 15-16), the device comprising:
 - a device's own device information managing section operable to manage device's own device information regarding the device (page 7, lines 9-10);
 - an other device information managing section operable to manage other device information regarding at least one another device connected to the network system, the other device information including at least availability of the master function (page 6, lines 25-26; page 7, lines 9-10);
 - a schedule information managing section operable to manage schedule information indicative of master device candidates by predetermined time (page 6, lines 3-5);
 - a device information processing section operable, when the device operates as the master device, to specify, at a predetermined time, a slave device which is one of the master device candidates having the master function, said specifying based on the other device information and the schedule information, and operable to obtain predetermined information from the specified slave device (page 2, lines 24-30; page 7, lines 7-10); and

- a switch controlling section operable to control switching of a master operation and a slave operation based on the predetermined information obtained by the device information processing section and the predetermined information included in the device's own device information (page 6, lines 27-29; page 7, lines 7-10).

Therefore the subject matter of **claim 1** is not new.

- 2.2 Independent **claims 14-16** contain the features of a system of claim 1 expressed respectively in terms of a method, a computer-readable program and of an integrated circuit. Therefore, the above arguments with respect to novelty of claim 1 similarly apply to the these claims.
- 2.3 Documents D2 and D3 are also novelty destroying for all independent claims (see citations in International Search Report).
3. **Dependent claims 2-13** do not contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the Article 33(1) PCT in respect of novelty (Article 33(2) PCT) and/or inventive step (Article 33(3) PCT), the reason being as follows:
 - 3.1 The additional feature that the device information is a deterioration in communication quality is disclosed in document D1 (page 3, lines 13-25). Therefore the subject matter of **claims 3, 5-7** is not new.
 - 3.2 The additional feature of dependent **claims 4 and 9**, namely that device information is a reduction in a remaining amount of battery is disclosed in document D2 (abstract: solution).
 - 3.3 The additional subject matter of dependent claims 2, 8, 10-13 contains only implementation options within the scope of the customary practice followed by persons skilled in the art, which are not inventive.